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DATE: September 29, 2006
FILE NO: STRR/0004.C1
TO: EXAMINER STEPHEN CHOI
FAX NO: 571-273-8300
PHONE NO:
COMPANY: USPTO
FROM: DOUG ELLIOTT
PAGE(S) with cover: 3
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

TITLE: DISPOSABLE AMPOULE OPENERS
U.S. SERIAL NO.: 10/779,989
FILING DATE: FEBRUARY 17, 2004
INVENTOR: LISA STARR
EXAMINER: STEPHEN CHOI
GROUP ART UNIT: 3724
CONFIRMATION NO.: 8890

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PATENT
Atty. Dkt. No. STRR/0004.C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lisa Starr

Serial No.: 10/779,989

Confirmation No.: 8890

Filed: February 17, 2004

For: DISPOSABLE AMPOULE
OPENERS§
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Group Art Unit: 3724

Examiner: Stephen Choi

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

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I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by the Examiner, namely, fax number (571) 273-8300 to the attention of the named Examiner, on the date below.

September 29, 2006
Date

Signature

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

This Statement is filed in response to the Interview Summary dated August 31, 2006. As noted in the Examiner's Interview Summary, a telephonic interview took place between the Examiner and Douglas H. Elliott on August 24, 2006. A proposed amendment, in draft form, was forwarded to the Examiner for discussion. That proposed amendment, which is different from the amendment ultimately submitted, consisted of proposed amended claims 20 and 24 (see below), and cancellation of claims 33 and 34.

Proposed Amended Claims 20 and 24

20. (Currently Amended) A disposable ampoule opener comprising ~~an~~ a plastic elongated housing member that includes a first elongated housing section and a second elongated housing section having defining an inner cavity shaped to receive a portion of an ampoule, said ampoule having a body, a neck portion and a tip portion, said housing member having an open housing end, a closed housing end, sidewalls disposed between the open housing end and the closed

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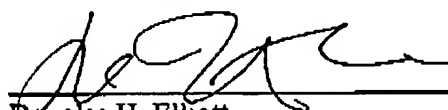
App. Dkt. No. STRR/0004.C1

housing end, the sidewalls having an outer housing surface and an inner housing surface forming at least a portion of the inner cavity, wherein at least one inner rib circumscribes at least a portion of the inner housing surface proximate the open housing end, the inner rib having an inner diameter ~~capable of encircling and clamping a~~ larger than the diameter of the neck portion of an ampoule and smaller than the diameters of the body or tip portions; and a lid secured to the housing proximate the open housing end, the lid being capable of a closed position and an open

24. (Currently Amended) The disposable ampoule opener of claim 20, wherein the ~~elongated housing member includes~~ two elongated housing sections are hingedly connected to one another.

As noted in the Interview Summary, that proposed amendment was discussed in the context of the Lasich and Morbeck references; and the Examiner indicated that the proposed amendment appears to overcome the rejection under 102(b) but did not appear to overcome the 103 rejection in view of Morbeck and Milton in the previous office action. Accordingly, no agreement was reached with respect to the proposed amendment. Subsequently, based on the Examiner's suggestions during the interview, Applicant filed an amendment as part of the Response on August 28, 2006, in which claim 20 was amended in the manner set forth in that Response. Further, the remaining claims were cancelled.

Respectfully submitted,



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